

REMARKS

The Office Action of May 22, 2003 has been fully considered. In view of the above amendments and the following remarks, reconsideration is respectfully requested.

Applicants submit that the above amendments do not raise new matter, as support for the amendments may be found in the specification as originally filed. Specifically, support for the amendment to claim 1 may be found on page 3, lines 28-29, and at page 5, lines 1-5. Support for the amendment to claim 12 may be found at page 5, lines 1-5.

The Examiner has rejected claims 1 and 4 under 35 U.S.C. § 102(b) as being anticipated by Rhodes et al. Applicants respectfully traverse.

The Examiner has stated that Rhodes discloses a process for making an arc tube, comprising the steps of sintering an arc tube composition to form an arc tube and annealing the arc tube in a vacuum. The arc tube of Rhodes has a yttria-based body (column 2, lines 1-5). The present invention, by contrast, claims an alumina content of about 99.99% alumina. Due to the differing content of the Rhodes article (yttria-based) and the present (alumina-based), the Rhodes article of manufacture does not anticipate the invention of claim 1. Similarly, the invention of claim 4 is not anticipated by Rhodes due to the differing content of the bodies. Applicants therefore respectfully request the § 102(b) rejections be withdrawn.

Claims 1-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rutan et al. in view of Holcombe et al. Applicants respectfully traverse.

The Examiner has stated it would be obvious to use the manufacturing method disclosed by Holcombe to produce the arc tube of Rutan. Applicants respectfully submit the method of Holcombe is not equivalent to the manufacturing method of the present invention. Holcombe teaches a process utilizing alumina particle size of "about 74 μm " (column 2, lines 44-47). The present invention claims a particle size "up to about 10 μm " (claims 1 and 12). This particle size is substantially smaller than that of Holcombe. Moreover, there is no teaching or suggestion in Holcombe that a substantially smaller particle size would be advantageous or even desirable. The

present process is thus distinct from the Holcombe process, and utilizing the Holcombe process to form the arc tube of Rutan would not result in the process of the present invention. Claims 1 and 12 are thus non-obvious over Rutan in view of Holcombe. Claims 2-11 and 13-20, each dependent from a non-obvious independent claim, are therefore non-obvious also. Applicant respectfully request the § 103(a) rejections be withdrawn.

In view of the above, Applicants respectfully submit claims 1-20 of the present application are in condition for allowance and respectfully request the rejections be withdrawn.

If any fee is due in conjunction with the filing of this response, Applicants authorize deduction of that fee from Deposit Account No. 06-0308.

Respectfully submitted,

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DATED: August 21, 2003

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